

UNITED STATES DISTRICT COURT

for the

Eastern District of Pennsylvania

United States of America

v.

An-Tso Sun, a/k/a "Edward"

Case No.

18-898-M

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of March 27, 2018 in the county of Delaware in the Eastern District of Pennsylvania, the defendant(s) violated:

Code Section

18 U.S.C. § 922(g)(5)(B)

Offense Description

On or about March 27, 2018, in the Eastern District of Pennsylvania, the defendant, An-Tso Sun (a/k/a "Edward"), then being an alien admitted to the United States under a nonimmigrant visa, did knowingly possess in and affecting interstate commerce approximately 1,607 rounds of ammunition, in violation of Title 18, United States Code, Section 922(g)(5)(B).

This criminal complaint is based on these facts:

SEE ATTACHED AFFIDAVIT.

☒ Continued on the attached sheet.

Complainant's signature

Zachary Kuzowsky, Special Agent, HSI

Printed name and title

Sworn to before me and signed in my presence.

Date: 06/05/2018

City and state: Philadelphia, PA

Judge's signature

The Hon. Thomas J. Rueter, U.S. Magistrate Judge

Printed name and title

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

AFFIDAVIT

I, Zachary Kuzowsky, being first duly sworn, hereby depose and state as follows:

A. Introduction and Agent Background

1. I make this affidavit in support of a Criminal Complaint and Arrest Warrant against AN-TSO SUN, a/k/a “EDWARD” (“SUN”). As set forth below, there is probable cause to believe that SUN, an alien present in the United States based on a nonimmigrant visa, possessed ammunition, in violation of Title 18, United States Code, Section 922(g)(5)(B).

2. I am currently a Special Agent with Immigration and Customs Enforcement (“ICE”), assigned to the directorate of Homeland Security Investigations (“HSI”) and have been for 9 years. Prior to becoming a Special Agent with HSI, I was a Philadelphia police officer for 8 years. HSI is the primary investigative arm of the U.S. Department of Homeland Security. During the past 9 years, I have conducted numerous investigations into the violations of U.S. Customs law and U.S. Immigration law including, but not limited to, narcotics smuggling and human trafficking. I am currently assigned to the National Security Investigations Group within the Philadelphia, Pennsylvania, HSI Office of the Special Agent in Charge. In this capacity, I often encounter people who not only violate the statutes involving national security, but also all other violations that are under the statutory authority of Homeland Security Investigations.

3. This affidavit is based on my personal knowledge and information obtained from documents, witnesses, and other law enforcement officials. The information contained in this affidavit is submitted for the limited purpose of establishing probable cause in support of a

criminal complaint and arrest warrant against SUN. As such, this affidavit does not include all of the information that I have acquired while participating in this investigation.

B. Statement of Probable Cause

4. At all times relevant to this Complaint, SUN was a Taiwanese national who had been admitted to the United States under a nonimmigrant visa to attend a high school in Upper Darby, Pennsylvania (hereinafter, "School A"). SUN resided with a host-family in Upper Darby, Pennsylvania.

5. According to a student at School A (hereinafter, "Student 1") who was familiar with SUN and who provided a written statement, on or about March 26, 2018, after the school bell rung at the end of the day, SUN made the following statement to Student 1: "Hey, don't come to school on May 1st ... I'm going to come here armed and shoot up the school. Just kidding." Student 1 reported the incident to school officials, who then alerted law enforcement.

6. On or about March 27, 2018, Upper Darby Police officers executed a search warrant at SUN's residence and seized from SUN's bedroom, *inter alia*, the following items:

- a. 20 rounds of 9mm Blazer Brass ammunition;
- b. One ballistic suit, including a vest, jacket and pants;
- c. One cross bow;
- d. Seven arrows; and
- e. Various firearm accessories and shooting equipment.

7. On or about March 28, 2018, as part of a non-attribution agreement¹ with the Delaware County District Attorney's Office, Upper Darby Police officers took possession of a

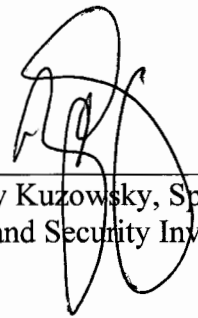
¹ Pursuant to the non-attribution agreement, an unnamed individual provided the black duffel bag with the items inside to the Delaware County District Attorney's Office on the condition that the individual not be identified.

black duffel bag, with a luggage tag bearing the name of Bobsie Clair, which contained, *inter alia*, the following items:

- a. One semiautomatic pistol, comprised of a Glock 19 9mm upper component (slide, recoil spring, and barrel) bearing serial number BESE280, and a Polymer80 brand lower component (frame) with no serial number;
- b. 44 rounds of 9mm Aguila ammunition;
- c. 615 rounds of 9mm Blazer Brass ammunition;
- d. 225 rounds of 12 gauge Federal shotgun ammunition;
- e. 280 rounds of 5.56mm IMI Systems ammunition; and
- f. 423 rounds of 7.62 x 39mm TulAmmo ammunition.

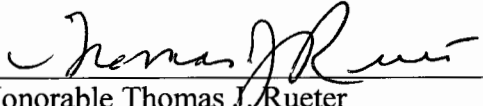
8. On or about March 30, 2018, Upper Darby Police officers interviewed SUN's host-mother, V.H. V.H. stated that on March 27, 2018, she received a call from a School A official and Upper Darby Police officers informing her that SUN had made threats to the school. V.H. stated that after the call, she immediately called an attorney to represent SUN, then came home from work and removed a number of items from SUN's bedroom, including ammunition, firearm magazines, a rifle scope, and other items. V.H. stated that she placed all of these items into a black duffel bag, with a luggage tag bearing the name of Bobsie Clair, and brought the bag to the attorney with whom she had spoken.

9. Based on consultation with Joseph Mangoni, a Special Agent and firearms and ammunition nexus expert with the Bureau of Alcohol, Tobacco and Firearms, the approximately 1,607 rounds of ammunition described in paragraphs 6a and 7b-7f above were manufactured outside of Pennsylvania and, therefore, traveled in interstate commerce.



Zachary Kuzowsky, Special Agent
Homeland Security Investigations

SUBSCRIBED TO AND SWORN TO BEFORE ME
THIS 5 DAY OF JUNE 2018



Honorable Thomas J. Rueter
United States Magistrate Judge
Eastern District of Pennsylvania